

Application Serial No. 10/537,733
Reply to Office Action of November 6, 2009

PATENT
Docket: CU-6562

REMARKS

In the Office Action, dated November 6, 2009, the Examiner states that Claims 1-8, 11, 14 and 22-34 are pending, Claims 5-8 and 28-34 are withdrawn, and Claims 1-8, 11, 14 and 22-27 are rejected. By the present Amendment, Applicant amends the claims.

Rejections under 35 U.S.C. §102

Claims 1-4, 22, 24 and 26 are rejected under 35 U.S.C. §102(b) as being anticipated by JP 5-186610. Applicant respectfully disagrees with and traverses this rejection.

At the outset, Applicant indicates that Claim 1 is currently amended to require the feature of a thermal stabilizer. Page 7 of the outstanding Office Action commented that this feature was not previously required by the claim but in view of the current amendment, the feature is now required.

Applicant respectfully asserts that the filler sheet for a solar cell module recited in Claim 1 (present invention) comprises a thermal stabilizer. The Office Action considers that JP 5-186610 (reference 1) discloses a thermal stabilizer in paragraph [0033]. However, paragraph [0033] mentions only the "various stabilizer" and no direct discussion regarding a thermal stabilizer is found therein. Accordingly, in this respect, Applicant respectfully asserts that reference 1 does not teach or suggest each and every feature of the presently claimed invention. As such, Applicant respectfully requests withdrawal of the present rejection under 35 U.S.C. §102(b).

Rejections under 35 U.S.C. §103

Claims 11, 14 and 23-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 5-186610 in view of JP 2001-320073. Applicant respectfully disagrees with and traverses this rejection.

As previously mentioned, it is Applicant's position that paragraph [0033] of reference 1 mentions only the "various stabilizer" and no direct discussion regarding a thermal stabilizer is found therein. Accordingly, in this respect, Applicant respectfully asserts that reference 1 does not teach or suggest each and every feature of the presently claimed invention.

Further, JP 2001-320073 (reference 2) teaches many examples for various additives used in the adhesive sheet for a solar cell module (paragraphs [0068] –

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[00691]). However, no discussion regarding a thermal stabilizer is found therein. Also, regarding the thermal stabilizer recited in Claim 11 of the present application, the Office Action states that paragraph [0069] of reference 2 mentions a phosphorous type or phenol type compound. However, what Applicant considers is disclosed in paragraph [0069] is a phosphorous type or phenol type "antioxidant" and not a thermal stabilizer.

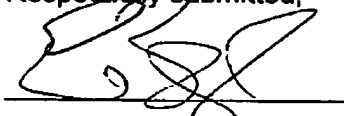
To support a *prima facie* case of obviousness, the Office Action must establish "a finding that the prior art included each element claimed, although not necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference." Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in view of *KSR International Co. v. Teleflex Inc.*, 72 Fed. Reg. 57,526 (Oct. 10, 2007). Since the prior art does not teach or suggest each and every feature of the presently claimed invention, Applicant respectfully asserts that a *prima facie* case of obviousness cannot presently be established.

Since independent Claim 1 is allowable over the prior art, Applicant asserts that all claims depending therefrom are allowable for at least the same reasons, as well as for the features that they recite. As such, Applicant respectfully requests withdrawal of the present rejection under 35 U.S.C. §103(a).

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

April 6, 2010
Date

Respectfully submitted,



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